

CLERK, U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF TEXAS THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed September 7, 2018

IN THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF TEXAS **DALLAS DIVISION**

| IN RE: | § | Case No. 18-30264-SGJ-11 |
|--------------------------------|---|----------------------------------|
| | § | Case No. 18-30265-SGJ-11 |
| ACIS CAPITAL MANAGEMENT, L.P., | § | |
| ACIS CAPITAL MANAGEMENT GP, | § | (Jointly Administered Under Case |
| LLC, | § | No. 18-30264-SGJ-11) |
| | § | |
| DEBTORS. | § | Chapter 11 |

ORDER DENYING CONFIRMATION OF FIRST AMENDED JOINT PLAN FOR ACIS CAPITAL MANAGEMENT, L.P. AND ACIS CAPITAL MANAGEMENT GP, LLC

After considering the First Amended Joint Plan for Acis Capital Management, L.P. and Acis Capital Management GP, LLC [Docket No. 441] (the "Plan"), filed by Robin Phelan (the "Trustee"), the Chapter 11 Trustee of Acis Capital Management, L.P. ("Acis LP") and Acis Capital Management GP, LLC ("Acis GP," together with Acis LP, the "Debtors" or "Acis"), the arguments of counsel, the testimony of the witnesses, and the other evidence presented at the hearings on the Plan, the Court has determined that confirmation of the Plan should be **DENIED**.

ORDER DENYING CONFIRMATION OF FIRST AMENDED JOINT PLAN FOR ACIS CAPITAL

IT IS HEREBY ORDERED that confirmation of the Plan is **DENIED** for the reasons set forth in the Court's ruling at Docket No. 549 (the "Ruling"). The Ruling is expressly incorporated into this Order.

END OF ORDER

Submitted by:

WINSTEAD PC

500 Winstead Building 2728 N. Harwood Street Dallas, Texas 75201 (214) 745-5400 (Phone) (214) 745-5390 (Facsimile)

By:/s/ Annmarie Chiarello

Rakhee V. Patel State Bar No. 00797213 Phillip Lamberson State Bar No. 00794134 Joe Wielebinski State Bar No. 21432400 Annmarie Chiarello State Bar No. 24097496 rpatel@winstead.com plamberson@winstead.com iwielebinski@winstead.com achiarello@winstead.com

SPECIAL COUNSEL FOR **ROBIN PHELAN, CHAPTER 11 TRUSTEE**

-and-

Jeff P. Prostok State Bar No. 16352500 J. Robert Forshey State Bar No. 07264200 Suzanne K. Rosen State Bar No. 00798518 Matthias Kleinsasser State Bar No. 24071357 FORSHEY & PROSTOK LLP

777 Main St., Suite 1290

Ft. Worth, TX 76102

Telephone: (817) 877-8855 Facsimile: (817) 877-4151 jprostok@forsheyprostok.com bforshey@forsheyprostok.com srosen@forsheyprostok.com mkleinsasser@forsheyprostok.com

COUNSEL FOR THE CHAPTER 11 TRUSTEE